

REMARKS/ARGUMENTS

Claims 1-11 stand in the present application, claim 1 having been amended. Reconsideration and favorable action is respectfully requested in view of the above amendments and the following remarks.

In the final Office Action, the Examiner has rejected claims 1-11 under 35 U.S.C. § 102(b) as being anticipated by Hill. Applicants respectfully traverse the Examiner's § 102 rejection of the claims.

In the Advisory Action dated April 17, 2009, the Examiner suggests that both the claims and the cited Hill reference contemplate a situation with a single input port and a single output port, and that for such a system the cited system in Hill falls within the scope of present claim 1. Applicants respectfully disagree.

A switch is a means for selectively interconnecting telecommunications connections to allow different routings to be set up between terminations. While it would be possible to envisage a switch with only one input (for disseminating data from one source to many destinations) or with only one output (for collecting data for one destination from many sources), a switch with only one input and only one output, as suggested by the Examiner, is merely a relay and not a switch as required by the present claims. Indeed, there would be no need for switch request data or an allocation plan (as required by the present claims) in any such one-to-one switch (relay) – the data would simply be forwarded to the output in the order it arrives at the input.

Furthermore, it is implicit from the requirement for reduction of the number of queue requests by a "common value" (see "c" of present claim 1) that there must

be more than one such queue – it would be meaningless to describe an isolated value as "common" (common with what?). Thus, the present claims cannot be construed to cover the one-to-one switch and therefore are not anticipated. Moreover, even if the present claims could be construed to embrace the one-to-one situation envisaged by the Examiner, there is simply no explicit disclosure of such an arrangement in Hill so there cannot be any actual anticipation.

In any event, to expeditiously further the prosecution of this case Applicants have amended present claim 1 to expressly disclaim the Examiner's alleged one-to-one situation. Support for these amendments can be found in the present application at Figure 1 which shows an NxN switch fabric where "N" is clearly greater than 1. See, for example, the worked examples throughout the specification using N=4, and the scenario used for the comparative performance data in Figure 2 that use N=8 (i.e., page 16, lines 22-25). Moreover, the present specification states at page 3, lines 22-23, that, in practice, N would be very much larger, and at page 3, lines 3-4 that the number of inputs and outputs are typically, but not necessarily, the same.

Therefore, in view of the above amendments and remarks, it is respectfully requested that the application be reconsidered and that all of claims 1-11, standing in the application, be allowed and that the case be passed to issue. If there are any other issues remaining which the Examiner believes could be resolved through either a supplemental response or an Examiner's amendment, the Examiner is respectfully requested to contact the undersigned at the local telephone exchange indicated below.

BIANCO et al
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Respectfully submitted,

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